

The Insolvency Act 1986

Notice of deemed approval of proposals

Name of Company

Envirotel Limited

Company number

06561734

In the
Bristol District Registry

(full name of court)

Court case number
1165 of 2010(a) Insert full
name(s) and
address(es) of
administrator(s)I/We (a) Simon Franklin Plant
S F P
9 Ensign House
Admirals Way
Marsh Wall
London
E14 9XQDaniel Plant
S F P
9 Ensign House
Admirals Way
Marsh Wall
London(b) Insert name and
address of the
registered office of
companyhaving been appointed administrator(s) of (b) Envirotel Limited
SFP 9 Ensign House, Admiral's Way Marsh Wall London E14 9XQ(c) Insert date of
appointment
(d) Insert name of
applicant/appointer

on (c) 18 May, 2010

by (d) Hitachi Capital (UK) Plc

hereby give notice that

(e) Insert date

having made a statement under paragraph 52(1) of Schedule B1 and no meeting having been
requisitioned under paragraph 49 of that Schedule,
the proposals sent by me on (e) 04/06/2010
were deemed to have been approved on (e) 16/06/2010

Signed

Joint / Administrator(s)

Dated

18/06/10

Presenter's details:

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give will be visible to searchers of the public

Simon Franklin Plant
S F P
9 Ensign House
Admirals Way
Marsh Wall
London
E14 9XQ

DX Number

020 7538 2222
DX Exchange

When completed and signed please send it to the
registrar of Companies at -
Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff



A08 19/06/2010 383
COMPANIES HOUSE

Con

SATURDAY



Schedule of Agreed Proposals
Envirotel Limited (in Administration) ("the Company")

- 1 the Administration of the Company continue in order to complete a sale of the Company's business and assets, effect outstanding realisations of the Company's debtors and finalise any additional matters which require the assistance of the moratorium,
- 2 the Joint Administrators' remuneration be fixed by the time properly spent by them and their staff in attending to matters arising out of the Administration in accordance with Statement of Insolvency Practice 9 and that the Joint Administrators be authorised to draw remuneration as and when funds become available,
- 3 the Joint Administrators be authorised to recover all disbursements including category 2 disbursements as defined by the Statement of Insolvency Practice 9,
- 4 in the event that the Joint Administrators think that the Company has no property which might permit a distribution to its creditors, they shall be authorised to file a notice of dissolution of the Company pursuant to paragraph 84 of Schedule B1 to the Act,
- 5 in the event of a potential distribution being available to unsecured creditors, the Joint Administrators be appointed Joint Liquidators of the Company pursuant to paragraph 83 of Schedule B1 to the Act without further recourse to the creditors with the purpose of making a distribution to unsecured creditors and to continue investigation into the Company's affairs,
- 6 as an alternative to paragraphs 4 and 5 the Joint Administrators be able to seek to place the Company into Compulsory Liquidation in order to pursue such actions and bring proceedings that only a Liquidator is permitted to bring pursuant to the Act,
- 7 upon the placing of the Company into Liquidation under paragraph 5 or 6 or the necessary form being filed for the Company to be dissolved, the Joint Administrators be discharged from liability in respect of any action undertaken by them pursuant to Schedule B1, paragraph 98 of the Act, and
- 8 upon the placing of the Company into Liquidation, the Joint Liquidators' be authorised to act in a joint and several capacity

Strictly Private and Confidential

Envirotel Limited (in Administration)

**Report to Creditors and
Statement of Proposals
Pursuant to Paragraph 49(1) of
Schedule B1 to the Insolvency Act 1986**

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MIPA MABRP**

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MIPA MABRP**

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This report has been written and presented for the sole purpose of complying with the relevant provisions of the Insolvency Act 1986 and the Enterprise Act 2002. It may not be disclosed, disseminated or copied without our prior written permission, other than to those entitled under statute or otherwise as ordered by the Court, and no liability will be accepted to any other person or party who acts or refrains from acting on its contents.

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1. Executive Summary

SECTION/APP REFERENCE

- | | |
|--|--------------------------------------|
| <p>1.1 The Company was placed into Administration on 18 May 2010. The purpose of rescuing the Company as a going concern was not achievable. The primary purpose of the Administration was therefore to achieve a better result for the Company's creditors as a whole than would be likely if the Company were wound up (without first being in Administration).</p> | <p>Section 5</p> |
| <p>1.2 The Company was incorporated on 10 April 2008 and traded as an installation and maintenance contractor of air conditioning systems. Its registered office and trading premises is situated at Unit 4, Waterside Business Park, Wheelhouse Road, Rugeley, Staffordshire, WS15 1LJ.</p> | <p>Section 4
and Appendix I</p> |
| <p>1.3 A company called Focal Projects Limited commenced trade in 1996 as an installation and maintainer of air conditioning services. It continued to grow until 2007 when it lost a major contract. In 2008, the company suffered from severe cash flow difficulties and was placed into Administration. In May 2008, the business and assets of Focal Projects Limited were purchased by the Company. The Company continued to trade the business as it was prior to the Administration and in 2009, due to the economic downturn, fewer restaurants were being opened meaning the Company's level of turnover dropped significantly. By April 2010, the Company's cash flow difficulties continued and it became unable to service its liabilities as and when they fell due. Further, the Company began to experience increased creditor pressure. Accordingly, the directors approached a firm of insolvency professionals for advice. The directors were advised to place the Company into Administration. Hitachi Capital (UK) PLC became aware that two winding up petitions had been issued against the Company and of the proposed Administration and in order to protect its position, sought to appoint its preferred choice of insolvency practitioners as Administrators.</p> | <p>Section 4
And Appendix II</p> |
| <p>1.4 It was envisaged that the primary purpose of the Administration would be achieved by the sale of the business and assets on a going concern basis. Given the lack of funding available, continued trading of the business was not an option. The Joint Administrators have been unable to complete a sale of the Company's business and assets at this stage.</p> | <p>Section 6</p> |
| <p>1.5 The purpose of the Administration is still in the process of being achieved and there is still a significant amount of work to be undertaken. This includes completing a sale of the Company's business and assets, effecting realisations in respect of debtor recoveries and continued investigations into the Company's affairs. The Joint Administrators consider that it may be advisable for the Company to continue in Administration for the time being. However, they require the option of placing it into Creditors' Voluntary Liquidation for distribution purposes in the unlikely event that there are sufficient realisations in the Administration for a dividend to unsecured creditors. Alternatively, the Joint Administrators will file notice of dissolution of the Company at Companies House should they take the view that the Company has no property which might permit a distribution to its creditors, unless they believe that they should present a winding up petition at court, so that a liquidator can be appointed to further investigate the Company's affairs. It is not proposed to convene a meeting of creditors.</p> | <p>Sections 7, 11 and
12</p> |
| <p>1.6 There has been a limited response to the questionnaire that was sent to creditors. Responses may assist the Joint Administrators with their general investigation duties. Accordingly, those who have not replied are urged to do so.</p> | <p>Section 13</p> |

2 Introduction

- 2.1 This Report and Statement of Proposals ("the Report") is prepared pursuant to Schedule B1, Paragraph 49 of the Insolvency Act 1986, ("the Act") in relation to Envirotel Limited (in Administration) ("the Company"), the purpose of which is to provide creditors with a full update as to the present position and seek creditors approval of the next stage of proceedings
- 2.2 The Report also includes information required to be provided to creditors pursuant to Rule 2.33 of the Insolvency Rules 1986 ("the Rules") All statutory information pertaining to the Company is set out in Appendix I

3 The Joint Administrators' Appointment

- 3.1 On 18 May 2010, a Notice of Appointment of an Administrator by Holder of a Qualifying Floating Charge ("the Notice of Appointment") was presented to the Bristol District Registry by solicitors Clarke Willmott, on behalf of Hitachi Capital (UK) PLC ("Hitachi") who provided invoice finance to the Company
- 3.2 On the same day, the Notice of Appointment was endorsed with case number 1165 of 2010 Both Simon Franklin Plant and Daniel Plant of SFP, 9 Ensign House, Admirals Way, Marsh Wall, London E14 9XQ were appointed Joint Administrators ("the Joint Administrators") Pursuant to Schedule B1, Paragraph 100(2) of the Act, the Joint Administrators act jointly and severally

4. Company History and Events Leading to the Administration Order

- 4.1 Albert that statutory information is contained in Appendix I, this report provides brief details in relation to the Company's history
- 4.2 The Company was incorporated on 10 April 2008 to trade as an installation and maintenance contractor of air conditioning systems At the time of the Administration, the Company's registered office and trading premises was situated at Unit 4, Waterside Business Park, Wheelhouse Road, Rugeley, Staffordshire, WS15 1LJ ("the Trading Premises")
- 4.3 As at the date of the placing of the Company into Administration, Lee Nicholas O'Brian ("Mr L O'Brian") and Darryl O'Brian ("Mr D O'Brian") (collectively, ("the Directors")) were appointed as the Company's directors There was no registered Company Secretary A full list of historic company appointments is scheduled at Appendix I
- 4.4 The Directors advised that the Company operated its banking facilities with Lloyds TSB Bank PLC ("Lloyds") and details of the account balances have been requested by the Joint Administrators The Joint Administrators understand that Lloyds are owed circa £5,000
- 4.5 It is understood that a company called Focal Projects Limited ("FPL") started to trade in 1996 as an installer and maintainer of air conditioning systems FPL's director was John O'Brian ("Mr J O'Brian") (the Directors father) FPL built up a reputation within the restaurant industry and in 1997, started to install and maintain air conditioning systems for major restaurant chains such as The Restaurant Group ("TRG") and La Tasca ("LAT")
- 4.6 FPL's level of turnover continued to increase until 2007, when LAT was sold to the Tragus Group who looked to reduce its costs and FPL lost its contract with them
- 4.7 By 2008, FPL started to experience severe cash flow difficulties and was placed into Administration on 13 May 2008 The business and assets of FPL were subsequently purchased by the Company from FPL's Administrators

Envirotel Limited (in Administration)
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Pursuant to Paragraph 49(1) of Schedule B1 of the Insolvency Act 1986

- 4.8 As a result of the economic downturn in 2009, fewer restaurants were being built, meaning the Company's level of air conditioning installations significantly reduced. In light of this, the Company had to rely on cash generated from the maintenance and repairs completed on existing contracts.
- 4.9 At this point in time, the ongoing contract with TRG represented circa 90% of its revenue. The Directors have advised that given the fact that TRG's restaurants were located around the country, the cost incurred in travelling to certain of TRG's restaurants made the work unprofitable.
- 4.10 By April 2010, the Company became unable to service its liabilities as and when they fell due which affected its ability to trade as a number of suppliers refused to continue trading with it. Further, the Company began to experience increased creditor pressure.
- 4.11 In light of this, the Directors approached a firm of insolvency professionals for advice. The Directors were advised that the Company was insolvent and it should be placed into Administration. On 14 May 2010, the Directors filed a Notice of Intention to Appoint an Administrator by Company / Director(s).
- 4.12 Hitachi became aware of the proposed Administration proceedings and in order to protect its position, sought to appoint its preferred choice of insolvency practitioners.
- 4.13 Accordingly, on 18 May 2010, Clarke Willmott filed the requisite appointment documentation at the Bristol District Registry on behalf of Hitachi which was subsequently endorsed with case number 1165 of 2010, appointing Simon Plant and Daniel Plant as Joint Administrators, at 10.50am on the same day.
- 4.14 At Appendix II is an Estimated Statement of Affairs as at the date that the Company was placed into Administration ("the Statement of Affairs"). The Statement of Affairs indicates that the Company was insolvent on a balance sheet basis with a deficiency to creditors of £391,708.

5 The Purpose of the Administration

- 5.1 The purposes of an Administration are set out in Schedule B1, Paragraph 3(1) of the Act. In short, this provides that an Administrator of a company must perform his functions with the objective of
- 5.1.1 rescuing the Company as a going concern, or
- 5.1.2 achieving a better result for the creditors as a whole than would be likely to be achieved if the company were wound up (without first being in Administration), or
- 5.1.3 realising assets in order to make a distribution to one or more secured or preferential creditors.
- 5.2 The purposes are therefore a hierarchy of objectives. The rescue of a company is the priority. Next is to instead achieve a better return to the creditors as a whole. In the event that this cannot be achieved then the Administrator is permitted to realise assets for the benefit of the preferential or secured creditors.
- 5.3 In light of the insolvency of the Company, the initial purpose relating to its rescue could only be achieved through a company voluntary arrangement. This was not considered to be achievable, although it appeared that the second purpose was a viable option. Full details concerning progress in respect of this purpose are set out in Section 7.

6 Events Following the Joint Administrators' Appointment Leading to Initial Strategy

- 6.1 As a rescue of the Company was not possible, the primary purpose of the Administration was to obtain a better result for the creditors as a whole than would be achieved if the Company was simply wound up (without first being in Administration). This would potentially be achieved with the assistance of a statutory moratorium, which protects a company when it is placed into Administration. The moratorium effectively prevents all creditors' actions being taken or progressed without leave of the Court or the Administrator's

consent, thereby providing a company with breathing space in which a strategy can be invoked to maximise realisations

- 6.2 Upon appointment, members of SFP's Administration department and debt recovery division, SFP Recoveries Limited ("SFP Recoveries") (collectively, "the Administration Team") attended the Trading Premises. Further, chattel asset valuers, Winterhill Asset Limited ("Winterhill") were instructed to attend in order to compile a valuation and inventory of the Company's business and assets
- 6.3 Upon arrival at the Trading Premises, the Administration Team held a meeting with the Directors and provided them with SFP's standard director pack outlining the effect of the Administration, together with formal notices to undertake statutory and non-statutory obligations
- 6.4 The Administration Team obtained details of the Company's history and established its current circumstances. The team also provided a list of the information that would be required from the Directors. This was obtained over the next couple of days. Meanwhile, the representative from SFP Recoveries collected all debtor information in order to reconstruct debtor files to assist with the recovery of book debts
- 6.5 Winterhill advised that trading the business during Administration would not be possible given the lack of available funds. Accordingly, the collective view of the Joint Administrators and Winterhill was that an expedient sale of the Company's business and assets should be undertaken, to generate the best realisation
- 6.6 Given the fact that there was a limited time frame within which to work with, the Administration Team enquired whether or not the Directors would be interested in purchasing the Company's business and assets. The Directors intimated that they would be interested in making an offer, together with Mr J O'Brian

7. General Progress In Relation to the Administration

Sale of the Company's Business and Assets

- 7.1 Subsequent to discussions with the Directors, they advised that their representative, James Middleton ("Mr Middleton") would be negotiating on their behalf
- 7.2 On 19 May 2010, once Winterhill had finalised its valuation, a member of the Administration Team entered into negotiations with the Directors, Mr J O'Brian and Mr Middleton ("the Management Team"). Mr L O'Brian advised that he was director of a company called Envirotel Mechanical Services Limited ("EMS") which could be used as a purchasing vehicle
- 7.3 Further to negotiations with the Management Team, an offer of £15,000 was made for the Company's business and assets. This offer was deemed unacceptable by Winterhill and subsequently rejected. Accordingly, the Management Team was encouraged to make an increased offer
- 7.4 Negotiations continued the following day and an increased offer was not forthcoming. As a result, the Management Team was given a deadline of 2pm to submit its final offer and advised that if an increased offer was not received, the Joint Administrators would attempt to sell the business and assets to a third party
- 7.5 After lengthy discussions with the Management Team where it appeared an increased offer would be submitted, they decided not to change their position. In any event, the £15,000 offer was subsequently withdrawn as it was understood that a major client would not support the Management Team going forward
- 7.6 In light of this, the Joint Administrators have instructed Winterhill to attempt to sell the business and assets to a third party. They are presently negotiating with a number of interested parties

Debtors

- 7.7 As at the date of the placing of the Company into Administration, it is understood that its sales ledger was circa £229,000 with Hitachi having an outstanding commitment of £95,000
- 7.8 Hitachi is collecting the sales ledger and SFP Recoveries are on hand to assist, if necessary. In the event of Hitachi being repaid in full, SFP Recoveries shall seek to have the sales ledger reassigned and attempt to recover any outstanding balances for the benefit of the Administration

The Company's Trading Premises

- 7.9 The Joint Administrators' property arm, SFP Property Limited ("SFP Property") has been instructed to review the position in respect of the Company's occupation of the Trading Premises and if there is a formal lease agreement in place, to determine any value to the lease and to assist with any subsequent assignment or surrender

Investigation into the Company's Affairs Prior to the Administration

- 7.10 Investigations into the Company's affairs prior to it being placed into Administration are being undertaken by SFP Forensic and are presently ongoing. However, the Joint Administrators do not wish to divulge any further information in relation to this at this stage since it may hamper enquiries / future recoveries

Miscellaneous

- 7.11 The Company's books and records have been recovered from the Trading Premises. An inventory has been prepared by SFP Datastore Limited ("SFP Datastore") and the books and records will continue to be stored by them

8 The Statement of Affairs and the Outcome for Creditors

- 8.1 Based upon current information, it is unlikely that there will be a dividend to unsecured creditors. At **Appendix II** is an Estimated Statement of Affairs as at the date that the Company was placed into Administration, completed by the Joint Administrators
- 8.2 In addition to this is a list of creditors whose details have been obtained from the Company's records and whose claims have been lodged. Please note that the £0.00 balances denote claims that are yet to be lodged onto the Joint Administrators system and does not mean that the claim has been rejected or agreed
- 8.3 Attached at **Appendix III** is the Joint Administrators Income and Expenditure Account for the period 18 May 2010 to 2 June 2010

9 The Joint Administrators' Costs

- 9.1 From the outset the Joint Administrators arranged for members of their team to be present at the Trading Premises in order to react to any immediate issues
- 9.2 To date, the Joint Administrators have undertaken, inter alia, the following actions
- 9.2.1 initial review of the trading position and ascertaining the feasibility of continued trading,
- 9.2.2 liaising with the director's and associated parties in order to deal with immediate issues,
- 9.2.3 negotiating a sale of the business and assets,

- 9.2.4 liaising with employees concerning the Administration,
 - 9.2.5 reviewing the Company's books and records,
 - 9.2.6 liaising with Winterhill concerning a valuation of the Company's business and assets,
 - 9.2.7 liaising with SFP Recoveries and Hitachi concerning the sales ledger, and
 - 9.2.8 undertaking all statutory measures including updating creditors, advertising and filing requisite documents and forms at Companies House
- 9.3 At **Appendix IV** is a breakdown of the time that has been incurred by SFP to date At **Appendix XI** is a Guide to Administrators Fees, being Statement of Insolvency Practice 9 ("SIP 9")
- 9.4 At **Appendix V** is a breakdown of the time that has been incurred by SFP Property to date
- 9.5 At **Appendix VI** is a breakdown of the time that has been incurred by SFP Recoveries to date
- 9.6 At **Appendix VII** is a breakdown of the time that has been incurred by SFP Datastore to date
- 9.7 At **Appendix VIII** is a breakdown of the time that has been incurred by SFP Forensic to date
- 9.8 At **Appendix IX** is a guide to SFP and its associated entities charge out rates and disbursement rates
- 9.9 The Joint Administrators do not anticipate a distribution to unsecured creditors as detailed in **Section 11** and are seeking to dispense with a creditors' meeting pursuant to Schedule B1, Paragraph 52 Rule 2.106 (5A) of the Rules provides that in the event of a creditors' meeting not being held, remuneration may be fixed by the approval of
- 9.9.1 each secured creditor of the company, or
 - 9.9.2 if the administrator has made or intends to make a distribution to preferential creditors,
 - 9.9.2.1 each secured creditor of the company, and
 - 9.9.2.2 preferential creditors whose debts amount to more than 50% of the preferential debts of the company, disregarding debts of any creditor who does not respond to an invitation to give or withhold approval
- 9.10 The Joint Administrators propose that their remuneration be on a time cost basis, being the time properly given by the Joint Administrators and their staff in attending to matters arising in the Administration under Rule 2.106(2) of the Rules
- 9.11 In accordance with the above, each secured creditor has been provided with a copy of these proposals. In addition and for the sake of good order, authority from the unsecured creditors is also being sought. Unless any objection to the proposed basis of remuneration is notified to the Joint Administrators within 12 days from the date on which the proposals are sent out, the Joint Administrators will deem the basis of their remuneration to have been approved by both the secured creditors and the unsecured creditors
- 9.12 Disbursements and specific expenditure relating to the administration of an insolvent estate and payable to an independent third party are recoverable without creditor approval. Such expenditure is made, if funds are available from the insolvent estate. If funds are not available the payment is made from this firm's office account and this firm is reimbursed from the insolvent estate if and when funds become available

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- 9 13 Payments made out of a firms office account and re-charged to an insolvent estate are defined as 'Category 1 Disbursements' This disbursement is explained further under the expenses and Disbursements heading in the Guide to Administrators Appendix XI The following Category 1 Disbursements have been incurred by the Joint Administrators to date and not yet re-charged to the estate

Postal Redirect £ 52 05

- 9 14 Expenditure incidental to the administration of the insolvent case, which by its nature includes an element of shared or allocated costs are recoverable with creditor approval These payments are defined as 'Category 2 Disbursements' and, once again, this disbursement is explained further in the Guide to Administrators fees at Appendix XI The following Category 2 Disbursements have been incurred by the Joint Administrators to date and not yet re-charged to the estate

Postage £ 13 02

- 9 15 The fees incurred by chattel asset valuers Winterhill, SFP Forensic, SFP Recoveries, SFP Property and solicitors Clarke Willmott are on a time cost basis SFP Datastore's fees are calculated on a fixed fee basis for storage and retrieval of books and records and an hourly rate for any further work carried out

- 9 16 SFP Forensic, SFP Recoveries, SFP Property and SFP Datastore are entities which are associated with the Joint Administrators firm, SFP ("the Associated Entities") Pursuant to SIP 9 payments made to outside parties in which the office holder or his firm or any associate has an interest should be treated as a Category 2 Disbursement In accordance with SIP 9 the following information is provided concerning the Associated Entities

- 9.16 1 the Associated Entities have been established by SFP to perform functions to which either the office holder or outside agencies could undertake It is considered that by virtue of their specialist nature and close proximity to SFP they will achieve better results than the office holder, his team or any outside agencies would be able to accomplish

- 9 16.2 the Associated Entities remuneration is on an hourly time cost basis, divided into 6 minute units and calculated as follows

Entity	Basis of Remuneration	Staff Charge Out Rates
SFP Forensic	Time Cost	£75 - £450*
SFP Property	Time Cost	£75 - £275*
SFP Recoveries	Time Cost	£75 - £450*
SFP Datastore	Fixed Fee and Time Cost	£25-£75*

*The charge out rates detail the bands that will be applied dependent upon the grading of staff required to deal with any one specific assignment Please note that these may fluctuate/alter during the course of the Administration or the placing of the Company into a subsequent insolvency regime

- 9 16 3 the proposals to creditors seek the approval of the payment of SIP 9 Category 2 Disbursements Approval will entitle the office holder to settle these as and when deemed necessary without the need for any further authorisation

10 Additional Points Required to Be Made Pursuant to the Rules

- 10.1** For creditors' general information, the EC Regulations on insolvency proceedings do apply in this case, and these proceedings are the main proceedings
- 10.2** Pursuant to Schedule B1, Paragraph 47(1) of the Act, the Joint Administrators may request one or more relevant persons to provide a Statement of Affairs of the Company. The Joint Administrators requested a Statement of Affairs to be completed by the Directors. These forms are not yet due.
- 10.3** The Joint Administrators do not consider that the prescribed part defined under section 176A of the Act will be payable and therefore do not intend to make an application to Court pursuant to section 176A(5) of the Act.

11 The Dispensing Of A Meeting of Creditors

- 11.1** Pursuant to Schedule B1, Paragraph 51(1) a copy of the Administrator's statement of proposals must be accompanied by an invitation to a creditors meeting. However, this requirement may be dispensed with in circumstances where there is likely to be nothing of substance that the creditors meeting could decide.
- 11.2** These circumstances are set out in Paragraph 52(1) which provides that the need to convene a meeting shall not apply where the statement of proposals states that the Administrator thinks that
 - 11.2.1** the company has sufficient property to enable each creditor of the company to be paid in full,
 - 11.2.2** the company has insufficient property to enable a distribution to be made to unsecured creditors other than by virtue of payment through the prescribed element of floating charge realisations, or
 - 11.2.3** the only objective of the Administration which the Administrator thinks is capable of achievement is realising property in order to make a distribution to one or more secured or preferential creditors.
- 11.3** In this instance the Joint Administrators are of the view that 11.2.3 will apply in relation to the Company.
- 11.4** Notwithstanding this, the Joint Administrators shall be required to summon a meeting of creditors if it is requested by the Company's creditors whose debts amount to at least 10% of the total debts of the Company, by way of service of a Form 2.21B, within 12 days from the date on which the proposals are sent out.
- 11.5** If such meeting is requested it must be held within 28 days of the request being received by the Joint Administrators. Security must be given for the expenses of summoning and holding the meeting. At Appendix XII is a copy of the Form 2.21B should any creditor wish to request a meeting. If no meeting is requested the proposals will be deemed to be accepted pursuant to Rule 2.33(5) of the Rules.

12 The Joint Administrators' Proposal

- 12.1** The protection of the Administration is still required in order to finalise all outstanding matters. The prescribed time limit for an Administration is 12 months. In the event that an Administration lasts in excess of 12 months, the Joint Administrators have to obtain creditors approval or make an application to Court to extend its length.
- 12.2** It is a requirement, notwithstanding the fact that a company is left in Administration for the Joint Administrators to investigate the company's affairs and submit the appropriate D form to the Department of Business Innovation and Skills concerning the director's conduct.

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- 12.3** In the event that there are or may be further realisations that result in a dividend to unsecured creditors the Joint Administrators shall seek to place the Company into Creditors Voluntary Liquidation in order to effect a distribution. In such circumstances they will be looking to take the appointment as Liquidators. In accordance with Schedule B1, Paragraph 83(7) of the Act and Rule 2.117(3), creditors are able to nominate a different person or persons as proposed Liquidator or Liquidators, provided that the nomination is made after the receipt of the proposals and before they are approved. As an alternative, and should there be no likely funds to distribute to unsecured creditors, that the Joint Administrators may seek to place the Company into Compulsory Liquidation in order to bring proceedings that only a Liquidator may commence for the benefit of the estate.
- 12.4** It is proposed that the Creditors' Voluntary Liquidation would commence from the date of acknowledgement by the Registrar of Companies that the relevant notice has been filed at Companies House. This procedure, which is permitted by the Act would circumvent the need for an additional creditors meeting and keep costs to a minimum.
- 12.5** In light of the above, and in accordance with Schedule B1, Paragraph 49(1) of the Act, it is proposed by the Joint Administrators that
- 12.5.1** the Administration of the Company continue in order to complete a sale of the Company's business and assets, effect outstanding realisations of the Company's assets and debtors and finalise any additional matters which require the assistance of the moratorium,
- 12.5.2** the Joint Administrators' remuneration be fixed by the time properly spent by them and their staff in attending to matters arising out of the Administration in accordance with Statement of Insolvency Practice 9 and that the Joint Administrators be authorised to draw remuneration as and when funds become available,
- 12.5.3** the Joint Administrators be authorised to recover all disbursements including category 2 disbursements as defined by the Statement of Insolvency Practice 9,
- 12.5.4** in the event that the Joint Administrators think that the Company has no property which might permit a distribution to its creditors, they shall be authorised to file a notice of dissolution of the Company pursuant to paragraph 84 of Schedule B1 to the Act,
- 12.5.5** in the event of a potential distribution being available to unsecured creditors, the Joint Administrators be appointed Joint Liquidators of the Company pursuant to paragraph 83 of Schedule B1 to the Act without further recourse to the creditors with the purpose of making a distribution to unsecured creditors and to continue investigation into the Company's affairs,
- 12.5.6** as an alternative to paragraphs 12.5.4 and 12.5.5 the Joint Administrators be able to seek to place the Company into Compulsory Liquidation in order to pursue such actions and bring proceedings that only a Liquidator is permitted to bring pursuant to the Act,
- 12.5.7** upon the placing of the Company into Liquidation under paragraph 12.5.5 or 12.5.6 or the necessary form being filed for the Company to be dissolved, the Joint Administrators be discharged from liability in respect of any action undertaken by them pursuant to Schedule B1, paragraph 98 of the Act, and
- 12.5.8** upon the placing of the Company into Liquidation, the Joint Liquidators' be authorised to act in a joint and several capacity

13 Ancillary

Creditors Questionnaires

- 13.1 The response that has been forthcoming from the questionnaire provided to creditors has proved to be helpful in relation to the events that transpired up to the date that the Company was placed into Administration.
- 13.2 As previously stated in the first circular to the Company's creditors, responses that are received may prove integral to assist with investigations into the Company's affairs. Accordingly, if you have not previously provided a completed questionnaire, please do so, at your earliest convenience.

Directors Conduct

- 13.3 Pursuant to the Company Directors Disqualification Act 1986, it is the Joint Administrators and any subsequently appointed Liquidator's duty to submit a requisite report/form to the Department for Business Innovation and Skills concerning the directors' conduct.
- 13.4 The report/form must address all persons holding the position as director during the three years up to the date of the onset of insolvency. Please note that this is a standard requirement. Responses to creditors' questionnaires may prove extremely helpful concerning this.

If any creditor has any queries in relation to the above, please do not hesitate to contact either the Joint Administrators or the Administrator dealing with this matter, Richard Hunt on 020 7538 2222.

Dated this 2nd day of June 2010



Daniel Plant
Joint Administrator

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX I

- **Statutory Information**

Envirotel Limited – In Administration

Statutory Information As Reflected At Companies House

Company Number	06561734		
Date of Incorporation:	10/04/2008		
Previous Names:	Focal Projects Service & Maintenance Limited Focal Projects Repairs & Maintenance Limited		
Nature of Business:	Other service activities		
Issued Share Capital	2 Ordinary £1 shares		
	Name	Appointed	Resigned
Director(s)	Lee Nicholas O'Brien Darryl John O'Brien	01/04/2009 10/04/2008	- -
Company Secretary	N/A		
Current Registered Office:	9 Ensign House Admirals Way Marsh Wall Docklands London E14 9XQ		
Previous Registered Office:	Unit 4 Waterside Business Park Wheelhouse Road Rugeley Staffordshire WS15 1LJ		
Trading Addresses	Same as above		
Accountants	HW Chartered Accountants Sterling House 97 Lichfield Street Tamworth Staffordshire B79 7QF		

Schedule of Outstanding Mortgages or Charges:

Name	Type of Charge	Registered	Satisfied
London Scottish Invoice Finance Limited Agreement		05/06/2008	-
Hitachi Capital Invoice Finance Limited	Debenture	22/06/2009	-
Hitachi Capital (UK) PLC T/A Hitachi Capital Invoice Finance	Debenture	02/03/2010	-

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX II

- **Estimated Statement of Affairs as at 18 May 2010 / Creditors Details**

ENVIROTEL LIMITED (IN ADMINISTRATION)

ESTIMATED STATEMENT OF AFFAIRS AS AT 18 MAY 2010

	Notes	Book Value £	Estimated to realise £
Assets (specifically pledged)			
Debtors	1	229,000	137 400
Less Hitachi Capital (UK) PLC	1	<u>-95,000</u>	<u>-95,000</u>
Estimated surplus c/d		134,000	42,400
Assets (not specifically pledged)			
Sale of business and assets	2	Uncertain	<u>Uncertain</u>
Estimated total surplus available to creditors		<u>134,000</u>	42,400
LIABILITIES			
Employee claims - preferential element	3		<u>Uncertain</u>
<i>Estimated surplus as regards unsecured creditors</i>			42 400
UNSECURED CREDITORS			
HM Revenue & Customs - PAYE/NIC & VAT	4	-163,620	
Employee claims - unsecured element	5	Uncertain	
Trade & expense	6	<u>-270,488</u>	<u>-434,108</u>
<i>Estimated deficiency as regards to creditors</i>			<u><u>-391,708</u></u>

NB Subject to the costs and expenses of the Administration

Envirotek Limited (in Administration) ("the Company")
Notes To Estimated Statement of Affairs as at 18 May 2010

1. The Company operated a finance facility with Hitachi Capital (UK) PLC. A provision of 40% has been applied to the sales ledger to take into account bad and doubtful debts.
2. The Joint Administrators have been unable to complete a sale of the Company's business and assets at this stage, although Winterhill are in discussions with a number of interested parties.
3. The preferential element of employee claims is currently uncertain.
4. The Crown has lost its preferential status.
5. The unsecured element of employee claims is currently uncertain.
6. The figure stated in the Statement of Affairs has been taken from the Company's records.

S F P
Envirotel Limited

Key	Name	Address	£
CA00	A1 Air Conditioning Limited	12 Charterhall Drive, Kingswinford, West Midlands	0 00
CA01	Association of Commercial Energy Assessors Ltd	Regus House, Victory Way, Dafford, Kent	0 00
CA02	Arre-Vent Limited	25 Haw Avenue, Yeadon, Leeds, LS1 7XE	23,581 08
CA03	AKA Electrical Services Limited	53 Headlands Drive, Hessle, HU13 0JP	376 00
CA04	ACR Services (Newcastle) Limited	16 Brunel Street, Newcastle Upon Tyne, NE4 7AH	2,375 12
CA05	Ainscough Crane Hire Limited	Bradley Hall, Bradley Lane, Standish, Wigan	0 00
CA06	Aircraft Air Handling Limited	Unit 20, Moorfields Industrial Estate, Cotes Heath, Stafford, S721 6QY	10,222 47
CA07	Airedale International Air Conditioning Limited	Leeds Road, Rawdon, Leeds, LS19 6JY	1,088 13
CA08	ABC Digital Solutions Limited	Technology House, Southmore Court, Electra Way, Crewe, Cheshire, CW1 6GU	0 00
CA09	Arval Limited	Arval Centre, Windmill Hill, Swindon, SN5 6PE	0 00
CA0A	At-u Limited	83 Upper St John Street, Lichfield, Staffs, WS14 9DT	54 06
CA0B	3D Air Sales Limited		29,019 74
CB00	B&A Cranes Limited	Hafan Le, 78 Heol Llanelli, Trimsaran, Llanelli, Dyfed	0 00
CB01	The BCS Partnership	Merlin House, 4 Beaumonts Way, Rochdale, Lancashire	971 75
CB02	B E S Limited	Unit 3, Junction 6 Ind Park, Electric Avenue, Birmingham, OL11 5NL	0 00
CB03	BOC Limited	Customer Service Centre, PO Box 12, Prestley Road, Worsley, Manchester, M28 2U7	2,029 07
CB04	The BSS Group Plc	PO Box 5884, Leicester, LE1 3ZN	6,260 18
CC00	The Canopy Company Limited	Oak Mill, Burnley Road, Burnley, Lancs, BB11 5PW	3,568 95
CC01	Cathedral Leasing Limited	300 Relay Point, Relay Drive, Tamworth, B77 5PA	0 00

CC02	Clík Limited	Tobacco Factory, Raleigh Road, Southville, Bristol, BS3 1TF	998 75
CC03	Cathedral Controls Limited	Castle House, 87 Bristol Road, Gloucester, GL1 5SN	179 40
CC04	Climacool Limited	18a Melling Road, Antree, Liverpool, L9 0LG	39,607 02
CC05	Collmaster Manufacturing Limited	Unit 30, Swifts Farm Estate, Hensting Lane, Fishers Pond, Southampton, SO30 7HH	314 90
CC06	Central Air Conditioning & Refrigeration Limited	26 Elmwood Road, Streethy, Sutton Coldfield, B74 2DF	4,523 75
CC07	Complete Solutions (Southern) Limited	4 Foxwood Gardens, Tamerton Foliot, Plymouth, Devon, PL6 5E7	0 00
CC08	Clever Car Commercial Limited	Suite 24a, Brookside Bus Park, Cold Meece, Stone, ST15 0RZ	0 00
CC09	Crawley Insulation Limited	Chesterfield, Bromley Green Road, Ashford, TN26 2EG	4,943 23
CD00	Anthony Daniels	28 Tudor Crescent, Rainworth, Mansfield, NG21 0AW	1,137 00
CD01	De Lage Landen Leasing Limited	PO Box 430, Building 8, Croxley Green Business Park, Watford, Herts	0 00
CD02	Dowding & Mills	Camp Hill, Bordesley, Birmingham, B12 0JJ	2,378 80
CE00	Environmental Solutions (UK) Limited	Brook House, Andover Street, Swindon, Wilts, SN1 5HX	470 00
CE01	Electro Controls Limited	Colmworth Business Park, Eaton Socon, St Neots, PE19 8YX	214 14
CE02	Environmental Temperature Control Limited	100 Church Road, Bebington, Wirral, CH63 3ED	7,050 00
CE03	Elemoto Limited	Unit C, Lytleton Road, Northampton, NN5 7ET	0 00
CE04	Equal & Approved Limited	Watson House, Staithe Road, Dunston, Tyne & Wear, NE11 9DR	234 20
CE05	Emap Limited	SSC Sales Ledger, Wentworth House, Wentworth Street, Peterborough, Cambs, PE1 1DS	2,655 50
CE06	Eshot Media Limited	15 Queen Street, Leeds, LS2 8AJ	0 00
CE07	Emery & Burton Limited	Brereton Road Garage, Rugeley, Staffs, WS15 1DN	522 36
CE08	Edmundson Electrical Limited	Skar House, 425-433 Stafford Road, Shirley, West Midlands, B90 4AR	139 21
CF00	Flamefast (UK) Limited	Unit 2, Labtec Street, Swinton, Manchester, M27 8SE	2,203 13
CF01	Flue-Stax Limited	The Old Chapel, Chapel Street, Tingley, WF3 1RE	3,086 73
CF02	Fusion Electnc Limited	Unit 13, Lufton Heights Commerce Park, Boundary Way, Yeovil, Somerset, BA22 8UY	190 06
CG00	Gardener Air Services Limited	White House Close, Flanders Road, Llantwit Major, Vale of Glamorgan, CF61 1RL	3,619 60
CG01	GDL Air Systems Limited	Air Diffusion Works, Woolley Bridge Road, Hadfield, Glossop, Derbyshire, SK13 1AB	502 19
CG02	Greenmill Supply Company	16 Mason Road, Cowdrey Centre, Colchester, CO1 1BX	1,143 53
CG03	G Hadley & Sons (Sheet Metal) Limited	Stadium Works, Sedgely Street, Wolverhampton, WS2 3AJ	1,659 30
CG04	General Engineering Contractors	Unit 6, Optical Park, Middlemore Lane West, Aldridge, Walsall	80 00
CH00	HIM Revenue & Customs	Insolvency Operations, 3rd Floor, Euston Tower, 286 Euston Road, London, NW1 3UQ	0 00

CH01	HM Revenue & Customs	Durrington Bridge House, Barrington Road, Worthing, West Sussex, BN12 4RS	0 00
CH02	HM Revenue & Customs	Insolvency Operations, Queens Dock, Liverpool, L74 4AF	0 00
CH03	HM Revenue & Customs	Room BP3202, Warkworth House, Benton Park View, Longbenton, Newcastle Upon Tyne, NE98 1ZZ	0 00
CH04	Hitachi Capital Invoice Finance Limited	5 Hollinswood Court, Stafford Park 1, Telford, Shropshire, TF3 3DE	0 00
CH05	H E P's Limited	Unit 2, Brnck Kiln Way, Brereton, Rugley, WS15 1RD	7,588 60
CH06	Hilfr (GB) Limited	1 Trafford Wharf Road, Trafford Park, Manchester, M17 1BY	19 06
CH07	Hall Bros (Bridlington) Limited	Lancaster Road, Camaby Industrial Estate, Bndlington, East Yorkshire, YO15 3QY	0 00
CH08	Hire Station Limited	Fields Farm Road, Long Eaton, Nottingham, NG10 3FZ	0 00
CH09	HRP Limited	Rougham Industrial Estate, Bury St Edmunds, Suffolk, IP30 9XA	5,684 07
CH0A	Hitachi Europe Limited	Whitebrook Park, Lower Cookham Road, Maidenhead, Berkshire, SL6 8YA	7,968 02
CI00	Office Depot (UK) Limited	Greenwich Way, Andover, Hampshire, SP10 4JZ	298 00
CI01	IDC Electrical Limited	8 Westfield Walk, Westhill, Culloden, Inverness, IV2 5AJ	0 00
CI02	Imofa UK Limited	New Coach House, 21 Grange Way, Colchester, Essex, CO2 8HF	444 33
CI03	IBS Rewinds	Unit 3 Longford Industrial Estate, New Street, Bndgtown, Cannock, Staffs, WS11 0DT	262 50
CI04	Instaprint (Rugeley) Limited	43 Albion Street, Rugeley, WS15 2BY	15 33
CJ00	Julian Grant Limited	Malsons House, College Road, Hextable, Kent, BR8 7LT	334 88
CJ01	Jason Downes Airconditioning & Mechanical	3 High Chase Rise, Little Haywood, Staffs, ST18 0TY	450 00
CK00	Kemps Publishing Limited	11 Swan Court Yard, Charles Edward Road, Yardley, Birmingham, B26 1BU	822 50
CK01	Kooltech Limited	443 - 437 Hillington Road, Hillington Industrial Estate, Glasgow, G52 4BL	2,676 66
CK02	Kemps Publishing Limited	11 The Swan Courtyard, Charles Edward Road, Yardley, Birmingham, B26 1BU	0 00
CL00	London Scottish Invoice Finance Limited	5 Hollinswood Court, Stafford Park 1, Telford, Shropshire, TF3 3DE	0 00
CL01	Logicool Air Conditioning Distribution Limited	Unit 4, George Holmes Business Centre, Swadlincolte, Derbyshire, DE11 9DF	3,843 87
CL02	Lawton Electrical Limited	Knowle Lane, Meltham, Huddersfield, HD9 4DS	0 00
CL03	Longar Industries Limited	Unit 25 , Glenmore Business Park, Colebrook Way, Weyhill Road, Andover, Hampshire, SP10 3GZ	4,646 39
CL04	Lennox Industries	Cornwell Business Park, Salthouse Road, Brackmills, Northampton, NN4 7ES	8,205 82
CL05	Lookers Leasing Limited	11 Cardale Court, Cardale Park, Beckwith Head Road, Harrogate, North Yorkshire	0 00
CL06	Lyreco UK Limited	Deer Park Court, Donnington Wood, Telford, Shropshire, TF2 7NB	217 92
CM00	Minorplanet Limited	Greenwich House, 223 North Street, Leeds, LS7 2AA	824 90

CM01	Maintenance Matters (Bristol) Limited	1 Kenmore Crescent, Bristol, BS7 0TH	95 00
CM02	Message Pad	Innovation Centre, Warwick Technology Park, Warwick, CV34 6UW	786 53
CM03	Mitsubishi Electric Europe	Midlands Region, Mylen House, 11 Wagons Lane, Sheldon, Birmingham, B26 3DU	93 06
CM04	Midland Filtration Limited	11a West Avenue, West Bndgford, Nottingham, NG2 7NL	1,623 79
CM05	MT Electrical	40 Chestnut Avenue, Holbeach, Spalding, Lincs	58 75
CN00	Newey & Eyre	Yardley Court, 11 - 12 Fredrick Road, Edgebaston, Birmingham, B15 1JD	2,421 39
CO00	One Bill Telecom	Premium House, The Esplanade, Worthing, West Sussex, BN11 2BJ	0 00
CO01	Opal Telecom	PO Box 136, Birchwood, Warrington, WA3 7WU	11 75
CO02	O2 (UK) Limited	260 Bath Road, Slough, Berkshire, SL1 4DX	50 53
CO03	Orange		0 00
CP00	Pitney Bowes	PO Box 42, Harlow, Essex, CM19 5DQ	277 52
CP01	Pitney Bowes Finance Plc	PO Box 6569, Harlow, Essex, CM20 2FQ	0 00
CP02	Pitt Wilson Electrical Limited	Cutler House, Wakefield Road, Bradford, BD4 7LU	191 50
CP03	Phh All Star (Arval Fuel)	Arval Centre, Windmill Hill, Swindon, SN5 6PE	0 00
CP04	Plumbing Trade Supplies	The BSS Group Plc, PO Box 5884, Leicester, LE1 3ZN	1,487 36
CP05	Phoneline	Horsefair, Rugeley, WS15 2EJ	159 98
CP06	Pumpmaster UK Limited	Manor House Office, Malvern Road, Worcester, WR2 4BS	803 71
CP07	Purified Air Limited	Lyon House, Lyon Road, Romford, Essex, RM1 2BG	2,117 43
CP08	P Warrington Engravers Limited	7 Key Hill Drive, Hockley, Birmingham, B18 5NY	62 10
CQ00	Quality Office Supplies Limited	Anchor Lane, Coseley, Bliston, West Midlands, WV14 9NE	0 00
CQ01	Wayne Contracts	Grove Farm, Yarfet, Staffs, ST18 9SD	405 38
CR00	Rock Cooling Services	16 Maes Yr Hafod, Creigiau, Cardiff, CF15 9SU	580 00
CR01	Rosedale Cable Management Limited	Flat 4, Hazel Court, Four Oaks, Sutton Coldfield, B74 2TU	745 71
CR02	RS Components Limited	PO Box 99, Corby, Northampton, NN17 9RS	2,634 68
CR03	Reznor UK Limited	Park Farm Road, Park Farm Industrial Estate, Folkstone, Kent, CT19 5DR	5,631 07
CS00	Saflame Limited	6 Peel Road, West Pimbo, Skelmersdale, Lancashire, WN8 9PT	0 00
CS01	Solution Support	Grayson House, Lynn Lane, Shenston, Lichfield, WS14 0DU	1,351 25
CS02	Sontay Limited	Four Elms Road, Edenbridge, Kent, TN8 6AB	622 46
CS03	Speedy Hire Direct Limited	Newmarket House, 20 The Parks, Newton Le Willows, Lancashire, WA12 0JQ	8,162 99
CS04	Spek Noise Control Limited	Room 21, Stowe House, Netherstowe, Lichfield, WS13 6TJ	2,351 18

CS05	Sitop Filters	Unit 15, Rumer Hill Business Estate, Rumer Hill Road, Cannock, Staffs, WS11 0ET	3,681 22
CS06	Brian Smitheringdale	Silver Birches, Southwell Road East, Mansfield, NG21 0EH	171 32
CS07	Systemair Fans & Spares Limited	72 Cheston Road, Birmingham, B7 5EJ	179 71
CS08	Smith Group	Calder House, St George's Park, Kirkham, PR4 2DZ	0 00
CT00	Trane (UK) Limited	55 Marsh Lane, Hampton in Arden, Solihull, BG2 0AJ	1,327 50
CT01	Thermofoist Cryo Plc	Ernest Avenue, West Norwood, London, SE27 0DA	7,670 58
CT02	Thermatic Limited	Units 5 & 6 Hall Farm Industrial Estate, Martham Road, Rollesby, NR29 5DR	3,871 13
CU00	United Refrigeration (UK) Limited	4 Watling Close, Sketchely Meadows Business Park, Hinkley, Leicestershire, LE10 3EZ	3,738 57
CV00	Vertech Filtration Support	Malyons House, College Road, Hextable, Kent, BR8 7LT	0 00
CW00	Western Automation	1 Spitfire Road, Erdington, Birmingham, B24 9PR	2,179 90
CW01	Wilson Electric (Battersea) Limited	12 - 18 Radstock Street, Battersea, London, SW11 4AT	0 00
CW02	Wave Air Conditioning Limited	Unit 5 Hamilton Close, Houndmill Industrial Estate, Basingstoke, Hampshire, RG21 6YT	11,121 98
CW03	Waymax Trading Limited	Unit 1 Waterside Business Park, Wheelhouse Road, Rugeley, Staffs, WS15 1LJ	1,601 49
CZ00	Zeftec	Unit 7G, Claymore, Tame Valley Industrial Estate, Tamworth, Staffs, B77 5DQ	517 00
EA00	Mr J Askey		0 00
EB00	Mr N Boden		0 00
EC00	Mr L Connolly		0 00
EC01	Mr D Christopher		0 00
EF00	Mrs C Fellowes		0 00
EG00	Miss L Gould		0 00
EG01	Mr Matthew Gresty		0 00
EH00	Mr S P Howard		0 00
EO00	Mr L N O'Brien		0 00
EO01	Mr D O'Brien		0 00
EO02	Mrs N O'Brien		0 00
EP00	Mr J Parker		0 00
EP01	Mr M Pownall		0 00
EP02	Mr Ben Jason Derek Parker		0 00
ER00	Mr Mark David Rees		0 00
ER01	Mr M Ramsden		0 00

ES00	Mr B Shaw	0.00
ES01	Mr M Stephenson	0.00
ES02	Mr M Smith	0.00
EW00	Mr Stewart Neil Walbank	0.00
EW01	Mr P S Wellum	0.00
RO00	Mr Darryl John O'Brien	0.00
RO01	Mr Lee Nicholas O'Brien	0.00
		270,487.72

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX III

- **Joint Administrators Income and Expenditure Account to 2 June 2010**

Envirotel Limited
(In Administration)

INCOME AND EXPENDITURE ACCOUNT

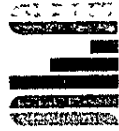
	Statement of affairs £	From 18/05/2010 To 02/06/2010 £
RECEIPTS		0 00
PAYMENTS		0 00
BALANCE - 2 June 2010		0.00

Envirotel Limited (In Administration)

Report to Creditors & Statement of Proposals

APPENDIX IV

- **Breakdown of Administrators Fees / Activity Codes**



ENVIROTEL LIMITED (IN ADMINISTRATION)

SUMMARY OF TIME AND CHARGE OUT RATES FOR THE PERIOD 18 MAY 2010 TO 2 JUNE 2010

CLASSIFICATION OF WORK FUNCTION	Managing Partner	Partner	Senior Manager	Manager	Senior Administrator	Administrator	Assistant	Total		
Administration and Planning	-	19 10	-	-	1 50	30 60	3 70	35 60	6 80	97 30
Investigation	-	1 20	-	-	-	-	-	-	-	1 20
Realisation of assets	-	3 50	-	-	-	9 00	-	3 50	-	16 00
Trading	-	-	-	-	-	-	-	-	-	0 00
Creditors	-	-	-	-	-	16 80	0 20	2 00	4 20	23 20
Total hours	-	23 80	-	-	1 50	56 40	3 90	41 10	11 00	137 70
Average rate £ per hour	-	400 00	-	-	250 00	225 00	150 00	100 00	75 00	204 10
Total costs £	-	9 520 00	-	-	375 00	12 690 00	585 00	4 110 00	825 00	28 105 00

Remuneration drawn on account

0 00

See Appendix for Summary Charge Out Rates for staff

SIP 9 STANDARD ACTIVITY SUMMARIES

Standard Activity	Examples of Work
Administration and Planning	Case Planning Administrative set up Appointment and notification Maintenance of records Statutory reporting Estate accounting Schedule company books and records
Investigation	SIP 2 CDDA report Investigating antecedent transactions
Realisation of assets	Identifying, securing, insuring assets Retention of title Debt collection – pre and post appointment Property, business and asset sales Communication and negotiations with secured creditors
Trading	Planning Management of operation Communication/negotiation with suppliers Communication/negotiation with landlord Communication/negotiation with third parties Monitor goods outward/inwards Stock take On-going employee issues Travel
Creditors	Communication with creditors Creditor claims (including employees and other preferential creditors)

Envirotel Limited (In Administration)

Report to Creditors & Statement of Proposals

APPENDIX V

- **Breakdown of SFP Property Limited Fees**

SFP



PROPERTY

ENVIROTEL LIMITED (IN ADMINISTRATION)

SUMMARY OF TIME AND CHARGE OUT RATES FOR THE PERIOD 18 MAY 2010 TO 2 JUNE 2010

CLASSIFICATION OF WORK FUNCTION

	Managing Director	Senior Manager	Manager	Senior Administrator	Administrator	Assistant	Total
Property Issues	3 90	-	-	-	-	2 40	14 30
Total hours	3 90	-	-	-	-	2 40	14 30
Average rate £ per hour	275 00	-	-	-	-	75 00	137 94
Total costs £	1 072 50	-	-	-	-	180 00	1,972 50

Remuneration drawn on account

0 00

See Appendix for Summary Charge Out Rates for staff

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX VI

- **Breakdown of SFP Recoveries Limited Fees**

SFP



RECOVERIES

ENVIROTEL LIMITED (IN ADMINISTRATION)

SUMMARY OF TIME AND CHARGE OUT RATES FOR THE PERIOD 18 MAY 2010 TO 2 JUNE 2010

CLASSIFICATION OF WORK FUNCTION

	Managing Director	Senior Manager	Manager	Senior Administrator	Administrator	Assistant	Total
Debt Collection	-	-	-	-	0 20	55 40	56 20
Total hours	-	-	-	-	0 20	55 40	56 20
Average rate £ per hour	-	-	-	-	150 00	100 00	101 25
Total costs £	-	-	-	-	30 00	5 540 00	5,690 00
Remuneration drawn on account							0 00

See Appendix for Summary Charge Out Rates for staff

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX VII

- **Breakdown of SFP Datastore Limited Fees**

SUMMARY OF TIME AND CHARGE OUT RATES FOR THE PERIOD 18 MAY 2010 TO 2 JUNE 2010

CLASSIFICATION OF WORK FUNCTION		Storage Tasks Staff Costs	Inventorising Staff Costs	Total	Disbursements incurred
Boxing Up / Collection / Inventorising of Records					
		25 40	9 10	34 50	
					Mileage 304 1 miles @ £1 10 per mile 334 51
					Travel & subsistence 8 11
					Return of storage boxes 25 00
Total hours		25 40	9 10	34 50	
Average rate £ per hour		25 00	75 00	38 19	
Total costs £		635 00	682 50	1317 50	
					Disbursements incurred 367 62
Remuneration and disbursements drawn on account					
				0 00	Disbursements drawn on account 0 00

See Appendix for Summary Charge Out Rates for staff

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX VIII

- **Breakdown of SFP Forensic Limited Fees**

SFP



FORENSIC



ENVIROTEL LIMITED (IN ADMINISTRATION)

SUMMARY OF TIME AND CHARGE OUT RATES FOR THE PERIOD 18 MAY 2010 TO 2 JUNE 2010

CLASSIFICATION OF WORK FUNCTION

	Managing Director	Senior Manager	Manager	Senior Administrator	Administrator	Assistant	Total
Investigation	-	-	-	-	-	0 90	0 90
Total hours	-	-	-	-	-	0 90	0 90
Average rate £ per hour	-	-	-	-	-	75 00	75 00
Total costs £	-	-	-	-	-	67 50	67 50
Remuneration drawn on account						0 00	0 00

See Appendix for Summary Charge Out Rates for staff

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX IX

- **Charge out Rates for SFP main practice and associates entities**

SFP



Charge out Rates for SFP main practice and associated entities

Main Practice		SFP Forensic Limited		SFP Property Limited		SFP Recoveries Limited	
Grade	Rate p/hr	Grade	Rate p/hr	Grade	Rate p/hr	Grade	Rate p/hr
Managing Partner	450	Managing Director	450	Managing Director	275	Managing Director	450
Partner 2	400	Senior Manager 2	325	Senior Manager 2	250	Senior Manager 2	325
Partner 1	350	Senior Manager 1	300	Senior Manager 1	225	Senior Manager 1	300
Senior Manager 2	325	Manager 2	275	Manager 2	200	Manager 2	275
Senior Manager 1	300	Manager 1	250	Manager 1	175	Manager 1	250
Manager 2	275	Senior Administrator 2	225	Senior Administrator 2	150	Senior Administrator 2	225
Manager 1	250	Senior Administrator 1	200	Senior Administrator 1	130	Senior Administrator 1	200
Senior Administrator 2	225	Administrator 2	150	Administrator 2	110	Administrator 2	150
Senior Administrator 1	200	Administrator 1	100	Administrator 1	90	Administrator 1	100
Administrator 2	150	Assistant	75	Assistant	75	Assistant	75
Administrator 1	100						
Assistant	75						

SFP Datastore Limited	
Grade	Rate p/hr
Storage Tasks (Retrieval and Collection)	
Box Storage	18p / box / week
A4	21p / box / week
A3	6p / box / week
Transit Cases	£1 10 per mile
Retrieval costs from site	£22 50
Same Day Delivery (up to 10 items)	£15 00
Next Day Delivery (up to 10 items)	£25 00
Delivery to third party offices (up to 10 items / £1 50 per item thereafter)	
Inventorising and Additional	
Staff Costs	75

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX X

- **Proof of Debt form**

PROOF OF DEBT - GENERAL FORM

**In the matter of Envirotel Limited (in Administration)
and in the matter of the Insolvency Act 1986**

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into administration	£
4	Details of any document by reference to which the debt can be substantiated [Note the administrator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show - (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6	If total amount above includes outstanding uncapitalised interest please state amount	£
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	
10	Particulars of any security held, the value of the security, and the date it was given	£
11	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	
	Position with or relation to creditor	

Envirotel Limited (in Administration)

Report to Creditors & Statement of Proposals

APPENDIX XI

- **Guide to Administrators Fees**

ENGLAND AND WALES

1 Introduction

1.1 When a company goes into administration the costs of the proceedings are paid out of its assets. The creditors who hope eventually to recover some of their debts out of the assets therefore have a direct interest in the level of costs and in particular the remuneration of the insolvency practitioner appointed to act as administrator. The insolvency legislation recognises this interest by providing mechanisms for creditors to determine the basis of the administrator's fees. This guide is intended to help creditors be aware of their rights under the legislation to approve and monitor fees, explains the basis on which fees are fixed and how creditors can seek information about expenses incurred by the administrator and challenge those they consider to be excessive.

2 The nature of administration

2.1 Administration is a procedure which places a company under the control of an insolvency practitioner and the protection of the court with the following objectives:

- rescuing the company as a going concern or
- achieving a better result for the creditors as a whole than would be likely if the company were wound up without first being in administration

or if the administrator thinks neither of these objectives is reasonably practicable

realising property in order to make a distribution to secured or preferential creditors

3 The creditors' committee

3.1 The creditors have the right to appoint a committee with a minimum of 3 and a maximum of 5 members. One of the functions of the committee is to determine the basis of the administrator's remuneration. The committee is normally established at the meeting of creditors which the administrator is required to hold within a maximum of 10 weeks from the beginning of the administration to consider his proposals. The administrator must call the first meeting of the committee within 6 weeks of its establishment, and subsequent meetings must be held either at specified dates agreed by the committee or when a member of the committee asks for one or when the administrator decides he needs to hold one. The committee has power to summon the administrator to attend before it and provide information about the exercise of his functions.

4 Fixing the administrator's remuneration

4.1 The basis for fixing the administrator's remuneration is set out in Rule 2.105 of the Insolvency Rules 1986 which states that it shall be fixed:

- as a percentage of the value of the property which the administrator has to deal with, by reference to the time properly given by the administrator and his staff in attending to matters arising in the administration, or
- as a set amount.

Any combination of these bases may be used to fix the remuneration and different bases may be used for different things done by the administrator. Where the remuneration is fixed as a percentage different percentages may be used for different things done by the administrator.

It is for the creditors' committee (if there is one) to determine on which of these bases or combination of bases the remuneration is to be fixed. Where it is fixed as a percentage it is for the committee to determine the percentage or percentages to be applied, and where it is a set amount, to determine that amount. Rule 2.106 says that in arriving at its decision the committee shall have regard to the following matters:

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paragraph 4.3 apply the determination may be made by the same creditors as approve the administrator's remuneration.

6.3 The administrator must convene a meeting of the committee or the creditors for the purposes of approving the payment of pre-administration costs if requested to do so by another insolvency practitioner who has incurred such costs. If there is no determination under these provisions or if there is but the administrator or other insolvency practitioner considers the amount agreed to be insufficient, the administrator may apply to the court for a determination.

7 What information should be provided by the administrator?

7.1 When seeking remuneration approval

7.1.1 When seeking agreement to his fees the administrator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on:

- the nature of the approval being sought
- the stage during the administration of the case at which it is being sought, and
- the size and complexity of the case.

7.1.2 Where at any creditors' or committee meeting the administrator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case.

7.1.3 Where the administrator seeks agreement to his fees during the course of the administration, he should always provide an up-to-date receipts and payments account. Where the proposed fee is based on time costs, the administrator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the administrator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the administrator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the administrator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent:

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case-specific matters

The following categories are suggested as a basis for analysis by grade of staff:

- Partner/Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignments and the administrator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain:

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- the complexity (or otherwise) of the case
- any responsibility of an exceptional kind or degree which falls on the administrator
- the effectiveness with which the administrator appears to be carrying out or to have carried out his duties
- the value and nature of the property which the administrator has to deal with

4.2 If there is no creditors' committee or the committee does not make the requisite determination (and provided the circumstances described in paragraph 4.3 do not apply) the administrator's remuneration may be fixed by a resolution of a meeting of creditors having regard to the same matters as apply in the case of the committee. If the remuneration is not fixed in any of these ways it will be fixed by the court on application by the administrator, but the administrator may not make such an application unless he has first tried to get his remuneration fixed by the committee or creditors as described above, and in any case not later than 18 months after his appointment.

4.3 There are special rules about creditors' resolutions in cases where the administrator has stated in his proposals that the company has insufficient property to enable a distribution to be made to unsecured creditors except out of the reserved fund which may have to be set aside out of floating charge assets.

In this case, if there is no creditors' committee or the committee does not make the requisite determination, the remuneration may be fixed by the approval of –

- each secured creditor of the company, or

if the administrator has made or intends to make a distribution to preferential creditors –

each secured creditor of the company, and preferential creditors whose debts amount to more than 50% of the preferential debts of the company, disregarding debts of any creditor who does not respond to an invitation to give or withhold approval,

having regard to the same matters as the committee would.

Note that there is no requirement to hold a creditors' meeting in such cases unless a meeting is requisitioned by creditors whose debts amount to at least 10 per cent of the total debts of the company.

4.4 A resolution of creditors may be obtained by correspondence.

5 Review of remuneration

5.1 Where there has been a material and substantial change in circumstances since the basis of the administrator's remuneration was fixed, the administrator may request that it be changed. The request must be made to the same body as initially approved the remuneration, and the same rules apply as to the original approval.

6 Approval of pre-administration costs

6.1 Sometimes the administrator may need to seek approval for the payment of costs in connection with preparatory work incurred before the company went into administration but which remain unpaid. Such costs may relate to work done either by the administrator or by another insolvency practitioner. Details of such costs must be included in the administrator's proposals.

6.2 Where there is a creditors' committee, it is for the committee to determine whether, and to what extent, such costs should be approved for payment. If there is no committee or the committee does not make the necessary determination, or if it does but the administrator or other insolvency practitioner who has incurred pre-administration costs considers the amount agreed to be insufficient, approval may be given by a meeting of creditors. Where the circumstances described in

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Any significant aspects of the case, particularly those that affect the amount of time spent.

- The reasons for subsequent changes in strategy.
- Any comments on any figures in the summary of time spent accompanying the request the administrator wishes to make.
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement.
- Any existing agreement about fees.
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees.

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

7.1.4 Where the fee is charged on a percentage basis, the administrator should provide details of any work which has been or is intended to be sub-contracted out, which would normally be undertaken directly by an administrator or his staff.

7.2 After remuneration approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the administrator should notify the creditors of the details of the resolution in his next report or circular to them. In all subsequent reports to creditors the administrator should specify the amount of remuneration he has drawn in accordance with the resolution (see further paragraph 8.1 below). Where the fee is based on time costs, he should also provide details of the time spent and charge out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 7.1.3. Where the fee is charged on a percentage basis, the administrator should provide the details set out in paragraph 7.1.4 above regarding work which has been sub-contracted out.

7.3 Disbursements and other expenses

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements, but there is provision for the creditors to challenge them as described below. Professional guidance issued to insolvency practitioners requires that where the administrator proposes to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by the administrator's own firm), they must be disclosed and be authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

8 Progress reports and requests for further information

8.1 The administrator is required to send a progress report to creditors at 6-monthly intervals. The report must include:

- details of the basis fixed for the remuneration of the administrator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it).
- If the basis has been fixed, the remuneration charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount in which case it may be shown as that amount without any apportionment for the period of the report).
- If the report is the first to be made after the basis has been fixed, the remuneration charged during the period covered by the previous reports, together with a description of the work done during those periods, irrespective of whether payment was actually made during the period of the report.
- a statement of the expenses incurred by the administrator during the period of the report, irrespective of whether payment was actually made during that period.

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- the date of approval of any pre administration costs and the amount approved
- a statement of the creditors' rights to request further information, as explained in paragraph 8.2 and their right to challenge the administrator's remuneration and expenses

8.2 Within 21 days of receipt of a progress report a creditor may request the administrator to provide further information about the remuneration and expenses (other than pre administration costs) set out in the report. A request must be in writing and may be made either by a secured creditor or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors (including himself) or the permission of the court.

8.3 The administrator must provide the requested information within 14 days unless he considers that the time and cost involved in preparing the information would be excessive or disclosure would be prejudicial to the conduct of the administration or might be expected to lead to violence against any person or the administrator is subject to an obligation of confidentiality in relation to the information requested.

In which case he must give the reasons for not providing the information.

Any creditor may apply to the court within 21 days of the administrator's refusal to provide the requested information or the expiry of the 14 days time limit for the provision of the information.

9 Provision of information – additional requirements

The administrator must provide certain information about time spent on a case free of charge upon request by any creditor, director or shareholder of the company.

The information which must be provided is –

- the total number of hours spent on the case by the administrator or staff assigned to the case
 - for each grade of staff the average hourly rate at which they are charged out
 - the number of hours spent by each grade of staff in the relevant period
- The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the administrator's appointment, or where he has vacated office the date that he vacated office.

The information must be provided within 28 days of receipt of the request by the administrator and requests must be made within two years from vacation of office.

10 What if a creditor is dissatisfied?

10.1 If a creditor believes that the administrator's remuneration is too high, the basis is inappropriate or the expenses incurred by the administrator are in all the circumstances excessive he may, provided certain conditions are met, apply to the court.

10.2 Application may be made to the court by any secured creditor or by any unsecured creditor provided at least 10 per cent in value of unsecured creditors (including himself) agree or he has the permission of the court. Any such application must be made within 8 weeks of the applicant receiving the administrator's progress report in which the charging of the remuneration or incurring of the expenses in question is first reported (see paragraph 8.1 above). If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the administrator a copy of the application and supporting evidence at least 14 days before the hearing.

10.3 If the court considers the application well founded, it may order that the remuneration be reduced, the basis be changed or the expenses be disallowed or repaid. Unless the court orders otherwise, the costs of the application must be paid by the applicant and not as an expense of the administration.

11 What if the administrator is dissatisfied?

11.1 If the administrator considers that the remuneration fixed by the creditors' committee is insufficient or that the basis used to fix it is inappropriate he may request that the amount or rate be increased or the basis changed by resolution of the creditors. If he considers that the remuneration fixed by the committee or the creditors is insufficient or that the basis used to fix it is inappropriate, he may apply to the court for the amount or rate to be increased or the basis changed. If he decides to apply to the court he must give at least 14 days' notice to the members of the creditors' committee and the committee may nominate one or more of its members to appear or be represented on the application. If there is no committee the administrator's notice of his application must be sent to such of the company's creditors as the court may direct and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid as an expense of the administration.

12 Other matters relating to remuneration

12.1 Where there are joint administrators it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute arising between them may be referred to the court, the creditors' committee or a meeting of creditors.

12.2 If the administrator is a solicitor and employs his own firm to act on behalf of the company, profit costs may not be paid unless authorised by the creditors' committee, the creditors or the court.

12.3 If a new administrator is appointed in place of another, any determination, resolution or court order which was in effect immediately before the replacement continues to have effect in relation to the remuneration of the new administrator until a further determination, resolution or court order is made.

12.4 Where the basis of the remuneration is a set amount and the administrator ceases to act before the time has elapsed or the work has been completed for which the amount was set, application may be made for a determination of the amount that should be paid to the outgoing administrator. The application must be made to the same body as approved the remuneration. Where the outgoing administrator and the incoming administrator are from the same firm, they will usually agree the apportionment between them.

13 Effective date

This guide applies where a company enters administration on or after 8 April 2010, except where

- the application for an administration order was made before that date, or
- where the administration was preceded by a liquidation which commenced before that date.

Creditor's request for a meeting

Name of Company
ENVIROTEL LIMITED (IN ADMINISTRATION)

Company number
06561734

In the
BRISTOL DISTRICT REGISTRY

Court case number
1165 / 2010

(a) Insert full name and
address of the creditor making
the request

I (a) _____

(b) Insert full name and
address of registered office of
the company

request a meeting of the creditors of (b) _____

(c) Insert amount of claim

My claim in the administration is (c) _____

(d) Insert full name(s) and
address(es) of creditors
concurring with the request (if
any) and their claims in the
administration if the
requesting creditor's claim is
below the required 10%

(d) _____

concur with the above request, and I attach copies of their written confirmation of concurrence

(e) Insert details of the
purpose of the meeting

The purpose of the meeting is (e) _____

Signed _____

Dated _____